IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.19518 of 2006

DATE OF DECISION: December 8, 2006

Veena Chhabra

….Petitioner

VERSUS

The State of Haryana and others

….

Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri R.K.Arora, Advocate for the petitioner.

Viney Mittal,J.(Oral).

The petitioner has approached this Court challenging the order dated November 29,2006 (Annexure P.7), whereby respondent No.4, District Appropriate Authority-cum-Civil Surgeon, Kaithal has declined to renew the certificate of registration of Ultrasound Machine run by the petitioner.

After hearing the learned counsel for the petitioner and taking into consideration the averments made in the present petition, we find that the order declining to renew the certificate of registration, such as, Annexure P.7 in fact is appealable under Section 21 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

The petitioner claims that she was already running the Ultrasound Machine but vide the impugned order, her request for renewal has been rejected. In our view, the said order in fact amounts

to a cancellation of the certificate of registration under Section 20 of the Act and such is appealable under Section 21 of the Act.

We dispose of the present petition with a liberty to the petitioner to file an appeal under Section 21 of the Act, if so desired. If any such appeal is filed by the petitioner, then the same shall be decided on merits by the appellate authority, as expeditiously as possible, without taking any technical objection with regard to maintainability thereof or with regard to the limitation.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

December 8, 2006
KD

(H.S. Bhalla)
Judge